

JOURNAL OF THE HOUSE.

Monday, March 13, 2006.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Petrolati of Ludlow in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, our intention as we begin each day and each legislative session is to serve You, our families and constituents in a conscientious and thoughtful manner. Your guidance, for which we pray, enables us to keep our personal goals and legislative priorities in clear focus as we sift through the often complex and sensitive issues on the day's agenda. In this era of possible terrorist activities and urban violence, inspire us to work together as a society to advance the respect for the dignity of each person as well as each person's human, civil and religious rights. Help us to continue building stable, civil and caring communities.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Petrolati), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to the department of public works in the town of Hopkinton (House, No. 4747) was filed in the office of the Clerk on Thursday, March 9.

Hopkinton,
public
works.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Ms. Blumer of Framingham) celebrating Athletic Trainer Month in Massachusetts;

Athletic
Trainer Month.

Resolutions (filed by Mr. LeDuc of Marlborough) recognizing Irish-American Heritage Month;

Irish-American
Heritage Month.

Resolutions (filed by Representatives Linsky of Natick and Peisch of Wellesley) recognizing and celebrating the achievements of the Natick Redmen; and

Natick
Redmen.

Resolutions (filed by Mr. Turner of Dennis) congratulating James R. Ehrhart on the occasion of his retirement;

James R.
Ehrhart.

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Linsky, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Reports of Committees.

By Mr. Correia of Fall River, for the committee on Elder Affairs, asking to be discharged from further consideration

Senior
citizens,
taxes.

Of the petition (accompanied by bill, Senate, No. 372) of Edward M. Augustus, Jr., James B. Leary, Stephen M. Brewer, Harriette L. Chandler and other members of the General Court for legislation to provide cities and towns with the option of granting property tax exemptions to certain qualifying senior citizens;

ri

Of the petition (accompanied by bill, Senate, No. 384) of Cynthia S. Creem, Therese Murray, Richard T. Moore, Robert A. O'Leary and other members of the General Court for legislation relative to tax relief for certain elderly property owners;

ri

Of the petition (accompanied by bill, Senate, No. 386) of Susan C. Fargo, Bruce E. Tarr, Steven A. Tolman, Robert A. O'Leary and other members of the General Court for legislation relative to certain real estate tax credit for persons 65 years of age or older;

ri

Of the petition (accompanied by bill, Senate, No. 393) of Brian A. Joyce for legislation relative to property tax rebates for senior citizens;

ri

Of the petition (accompanied by bill, Senate, No. 397) of Brian P. Lees, Richard R. Tisei, Bruce E. Tarr, Robert L. Hedlund and other members of the General Court for legislation to exempt certain elderly persons from certain real estate increases;

ri

Of the petition (accompanied by bill, Senate, No. 398) of Brian P. Lees, Richard R. Tisei, Bruce E. Tarr, Robert L. Hedlund and other members of the General Court for legislation relative to property tax exemption for persons over the age of seventy;

ri

Of the petition (accompanied by bill, Senate, No. 416) of Michael W. Morrissey, Bruce J. Ayers and Robert S. Creedon, Jr., for legislation to increase the real estate tax abatement for senior citizens;

ri

Of the petition (accompanied by bill, Senate, No. 417) of Michael W. Morrissey, Robert S. Creedon, Jr., Thomas M. McGee, Bruce J. Ayers and other members of the General Court for legislation relative to charging the interest on property tax deferment for seniors;

ri

Of the petition (accompanied by bill, Senate, No. 418) of Michael W. Morrissey, Robert S. Creedon, Jr., Thomas M. McGee, Bruce J. Ayers and other members of the General Court for legislation relative to fees for seniors filing with the Appellate Tax Board;

ri

Of the petition (accompanied by bill, Senate, No. 424) of Stanley C. Rosenberg for legislation relative to tax exemptions for elderly blind persons;

ri

Of the petition (accompanied by bill, Senate, No. 426) of Charles E. Shannon, Bruce E. Tarr, David P. Linsky, Susan C. Fargo and other members of the General Court for legislation relative to property tax exemptions for persons over the age of seventy;

Of the petition (accompanied by bill, Senate, No. 429) of Karen E. Spilka, David Paul Linsky, Louis L. Kafka, Barbara A. L'Italien and other members of the General Court for legislation relative to real estate tax increases for elderly persons;

ri

Of the petition (accompanied by bill, Senate, No. 430) of Karen E. Spilka, David Paul Linsky, Pamela P. Resor, Barbara A. L'Italien and other members of the General Court for legislation to provide outreach to seniors relative to property tax credits; and

ri

Of the petition (accompanied by bill, Senate, No. 436) of Marian Walsh for legislation to provide property tax relief to low and modest income elders;

ri

And recommending that the same severally be referred to the committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence in the discharge of the committee.

By Mr. Scaccia of Boston, for the committees on Rules of the two branches, acting concurrently, asking to be discharged from further consideration

Of the Bill relative to the establishing of a special commission to study the use of off-shore labor in state contracts (House, No. 1645);

State
contracts,
labor.

Of the Resolve providing for an investigation and study by a special commission relative to the effect of privatization on the delivery of human services (House, No. 2900);

Human
services.

Of the Resolve establishing a special commission to conduct an investigation and study relative to permitting advertising on state websites (House, No. 3512);

State
websites,
advertising.

Of the Bill providing for a system of periodic legislative review and for the termination, consolidation, or re-establishment of state agencies (House, No. 3522);

Agencies,
legislative
review.

Of the Resolve to provide a study of out of state child support (House, No. 3959, changed);

Child
support.

Of the Bill providing for a study of the current lottery revenue distribution formula (House, No. 3967);

Lottery
fund
distribution.

Of the Bill to create a Charles River water quality commission (House, No. 4683); and

Charles
River.

Of the Bill relative to public school attendance requirements (House, No. 4738);

Schools,
attendance.

And recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 4336) of Emile J. Goguen and Jeffrey Davis Perry relative to the appointment of certain directors to the Massachusetts Sheriffs' Association,— and recommending that the same be referred to the committee on Public Safety and Homeland Security. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Sheriff s
Association.

Sheriffs,
education.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to the Massachusetts Sheriffs Education and Training Committee (House, No. 3588). Read; and referred, under Rule 33, to the committee on Ways and Means.

Amherst
Select
Board.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a message from His Excellency the Governor, a Bill relative to the filling of a vacancy on the Amherst Select Board (printed in House, No. 1000, changed in line 1 by striking out the figures: "215" and inserting in place thereof the figures: "216").

County
government.

By the same member, for the same committee, on a petition, a Bill concerning the structure of county government (House, No. 1620).

Boston,
fines.

By the same member, for the same committee, on a petition, a Bill increasing the maximum amount that may be imposed by fines for violations of ordinances in the city of Boston (House, No. 4418) [Local Approval Received].

Hingham,
loans.

By the same member, for the same committee, on a petition, a Bill relative to temporary loans and the assessment of betterments in the town of Hingham (House, No. 4433) [Local Approval Received].

Burlington,
streets.

By the same member, for the same committee, on Senate, No. 2253 and House, No. 4486, a Bill authorizing the town of Burlington to accept certain streets (House, No. 4486) [Local Approval Received].

Cherry Valley
and
Rochdale.

By the same member, for the same committee, on a petition, a Bill relative to the boundaries of the Cherry Valley and Rochdale Water District (House, No. 4677).

Sidewalks,
snow
removal.
Fence
viewers,
rulings.

By the same member, for the same committee, on House, No. 3562, a Bill relative to sidewalks (House, No. 4748).

By the same member, for the same committee, on House, No. 3572, a Bill clarifying the enforcement of fence viewers' rulings (House, No. 4749).

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Early
education
care.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to early education and care (House, No. 4582) ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4746). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

Kayak
safety.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Bill relative to kayak safety (House, No. 4551) be scheduled for consideration by the House, with the amendment previously recommended by the committee on Public Safety and Homeland Security (House, No. 4688) pending. Placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Validating the proceedings of the annual town elections in the town of Royalston (Senate, No. 2188); and

Regulating access to student records (Senate, No. 2206, amended); and

House bills

Further regulating appeals regarding alcoholic beverages licenses (House, No. 3392);

Establishing in the town of Lee representative town government by limited town meetings (House, No. 4536);

Relative to certain conservation restrictions in the town of Edgartown (House, No. 4570);

Relative to the use of certain land in the town of Stockbridge (House, No. 4595);

Validating the actions taken at the special town election held by the town of New Salem (printed in House, No. 4608); and

Amending Ch. 317 of the Acts of 1974 relative to the powers of the transportation board of the town of Brookline (House, No. 4632);

Severally placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Koutoujian of Waltham, for the committee on Public Health, ought NOT to pass, on the petition (accompanied by bill, House, No. 2657) of Paul C. Casey relative to testing for HIV, hepatitis B and hepatitis C prior to the issuance of marriage licenses.

By Mr. Wagner of Chicopee, for the committee on Transportation, ought NOT to pass, on the petition (accompanied by bill, House, No. 1036) of Brian Knuuttila and others for legislation to prohibit the operation of a motor vehicle covered with ice or snow.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1962) of Karyn E. Polito and others relative to requiring the installation of ignition interlock devices on vehicles operated by certain repeat offenders granted a hardship license.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 1999) of William G. Greene, Jr., relative to convictions of motor vehicle violations and license suspensions and revocations in other states or countries.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2050) of Paul C. Casey relative to the revocation of motor vehicle drivers' licenses without a hearing.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2054) of John Walsh relative to the age requirement for the issuance of a drivers license.

Royalston,
elections.

Students.

Liquor
licenses.

Lee, voting
districts.

Edgartown.

Stockbridge.

New Salem.

Brookline.

Marriage
blood
testing.

Snow
covered
vehicles.

Repeat
offenders.

Motor
vehicle
violations.

Drivers
licenses,
revocation.

Drivers,
licensing
age.

Drivers education.	By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2090) of Robert F. Fennell and others relative to requiring applicants for a drivers license to complete drivers education classes.		
Handicapped parking.	By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2096) of James B. Leary and others for legislation to authorize the issuance of temporary handicapped parking placards to pregnant women.		
Driver s licenses, eligibility.	By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2129) of Timothy J. Toomey, Jr., Patricia D. Jehlen and others that the Registrar of Motor Vehicles be authorized to accept individual taxpayer identification numbers in lieu of social security numbers.		
Driver education programs, study.	By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by resolve, House, No. 2166) of Peter J. Larkin and others relative to reviving and continuing the special commission (including members of the General Court) established to make an investigation and study of the effectiveness of driver education programs.		
Junior operators.	By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2168) of Peter J. Larkin and others for legislation to further regulate the issuance of junior operators licenses and certificates for driver education training.		
ri	By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2171) of Alex Kavanaugh relative to the operation of motor vehicles by persons holding a junior operators license.		
I.D. cards, issuance.	By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2190) of Todd M. Smola and Reed V. Hillman relative to the issuance or renewal of identification cards to certain nonimmigrant aliens by the Registrar of Motor Vehicles.		
Motor vehicle licenses.	By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2191) of Todd M. Smola and Reed V. Hillman relative to the issuance or renewal of motor vehicle licenses to persons who are not legal residents of the United States.		
ri	By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2192) of Thomas M. Stanley and Reed V. Hillman for legislation to authorize the Registrar of Motor Vehicles to require that applicants for motor vehicle licenses provide proof of legal residence in the United States.		
ri	By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2226) of Emile J. Goguen and Dianne Wilkerson relative to the identification deemed appropriate by the Registrar of Motor Vehicles for certain license and registration applicants.		
ri	By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2231) of Matthew C. Patrick relative to licenses to operate motor vehicle.		
	By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2234) of Bruce J. Ayers that cities and towns be authorized to issue temporary placards for handicapped parking spaces.		Municipalities, disabled placards.
	By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2251) of Edward G. Connolly for legislation to establish a uniform parking ticket in the Commonwealth.		Uniform parking tickets.
	Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.		
	Mr. Donato of Medford, for said committee, reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting, the question, in each instance, being on acceptance.		
	Engrossed Bill.		
	The engrossed Bill establishing a post-retirement group health insurance trust fund in the town of Concord (see House, No. 2980) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.		Bill enacted.
	Orders of the Day.		
	The House Bill authorizing the town of Milford to grant an additional license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 4722), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.		Third reading bill.
	Order.		
	On motion of Mr. DiMasi of Boston,—		
	Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.		Next sitting.
	At twenty-six minutes after eleven o'clock A.M., on motion of Mr. deMacedo of Plymouth (Mr. Petrolati of Ludlow being in the Chair), the House adjourned, to meet on Wednesday next at eleven o'clock A.M.		